

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PASCO, INC.,

Plaintiff,

CIVIL ACTION NO. 05 X 71018

v.

DISTRICT JUDGE GEORGE CARAM STEEH

PDP GROUP, INC., and
ACCUTEL, INC.,

MAGISTRATE JUDGE VIRGINIA MORGAN

Defendants.

**ORDER GRANTING MOTION FOR PROTECTIVE ORDER
TO FILE UNDER SEAL MOTION TO COMPEL COMPLIANCE**

This matter is before the court on plaintiff's Motion for Protective Order to File Under Seal Motion to Compel Compliance with Subpoena Issued to Non-Party Conexio Managed Services LLC filed April 25, 2006. Plaintiff merely requests that the court permit the filing under seal a motion to compel compliance with a subpoena in a case pending in the Northern District of Ohio. The court has read the pleadings and finds that oral argument is not necessary. For the reasons discussed, IT IS ORDERED that the motion IS GRANTED.

Plaintiff represents that both testimony and documents are necessary for the court's consideration in enforcing the subpoena and that these have already been determined to be confidential by the federal court in Ohio in the underlying litigation. Relying on FRCP Rule 26, plaintiff requests the ability to file these here under seal in order to properly contest the subpoena. While the court is generally of the opinion that filing matters under seal is to be

discouraged, given the finding in the underlying litigation, the court finds that plaintiff here has demonstrated sufficient grounds to permit the filing under seal.

Therefore, IT IS ORDERED that the motion and attendant documents may be filed under seal, with reference to the Protective Order in the Northern District of Ohio, *Pasco v. PDP*, Case No. 5:04 CV 0911.

s/Virginia M. Morgan
VIRGINIA M. MORGAN
UNITED STATES MAGISTRATE JUDGE

Dated: June 21, 2006

PROOF OF SERVICE

The undersigned certifies that the foregoing order was served upon counsel of record via the Court's ECF System and/or U. S. Mail on June 21, 2006.

s/Jennifer Hernandez
Case Manager to
Magistrate Judge Virginia M. Morgan